

Please type a sign (+) inside this box →

PTO/SB/05 (03-01)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
For use through 10/31/2002. OMB 0651-0032

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No. 1488.0440003/EKS/PSC  
First Inventor Henrik S. Olsen  
Title Human Oncogene Induced Secreted Protein 1  
Express Mail Label No.

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents

## ADDRESS TO:

Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17) (in duplicate)  
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 64]  
(preferred arrangement set forth below)  
- Descriptive title of the Invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the Invention  
- Brief Summary of the Invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 3]

5. ☒ Oath or Declaration [Total Pages 2]

a. ☐ Newly executed (original or copy)

b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)

i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR §§  
1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program  
(Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

a. ☒ Computer Readable Form (CRF): Request to Open New Disk File  
b. Specification Sequence Listing on:

i. ☐ CD-ROM or CD-R (2 copies); or

ii. ☒ paper

c. ☒ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment: Copy from a prior application

10. ☐ 37 CFR 3.73(b) Statement ☒ Power of Attorney: Copy from a  
prior application

11. ☒ Letter to PTO Draftsman: Submission of Formal Drawings, with four  
(4) sheets of formal drawings

12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS  
Citations

13. ☒ First and Second Preliminary Amendment

14. ☒ Return Receipt Postcard (MPEP 503) (2)  
(Should be specifically itemized)

15. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach  
form PTO/SB/35 or its equivalent.

16. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)

17. ☒ Other: The name of the assignee is: Human Genome Sciences, Inc.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,  
or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-Part (CIP) of prior application No: 08/994,962  
Prior application information: Examiner Carlson, K. Group/Art Unit: 1653

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is  
considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only  
relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

Customer No. 28730

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.				
ADDRESS	Attorneys at Law				
CITY		STATE		ZIP CODE	
COUNTRY		TELEPHONE		FAX	

NAME (Print/Type)	Eric K. Steffe	Registration No. (Attorney-Agent)	36,688
SIGNATURE	<i>Eric K. Steffe</i>	Date	July 1, 2001

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount  
of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND  
FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

SKGF Rev 3/29/01 mac

sbo5

# FEE TRANSMITTAL

## for FY 2001

*Patent fees are subject to annual revision.*TOTAL AMOUNT OF PAYMENT (\$)2,790.00**Complete if Known**

Application Number	To be assigned (Divisional of Appl. No. 08/994,962; Filed: December 19, 1997)
Filing Date	Herewith
First Named Inventor	Henrik S. Olsen
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	1488.0440003/EKS/PSC

**METHOD OF PAYMENT (check one)****FEE CALCULATION (continued)**

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number 19-0036  
 Deposit Account Name Sterne, Kessler, Goldstein & Fox P.L.L.C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

☒ Check ☐ Credit card ☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****I. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	<u>710.00</u>
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1) (\$) 710.00**2. EXTRA CLAIM FEES**

	Extra	Fee from below	Fee Paid
Total Claims <u>100</u> - 20** = 80	X 18		= <u>1,440.00</u>
Indep. Claims <u>11</u> - 3** = 8	X 80		= <u>640.00</u>
Multiple Dependent			=

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim
108	80	209	40	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 2,080.00

\*\* or number previously paid, if greater, For Reissues, see above

**3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	481	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify):

Other fee (specify):

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 0.00**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Eric K. Steffe	Registration No. (Attorney/Agent)	36,688	Telephone	202-371-2600
Signature	<i>Eric K. Steffe</i>			Date	<i>July 1, 2001</i>

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
 SKGE Rev. 11-03-00 mae

# STERNE, KESSLER, GOLDSTEIN & FORD P.L.L.C.

ATTORNEYS AT LAW

1100 NEW YORK AVENUE, N.W. • WASHINGTON, D.C. 20005-3934

PHONE (202) 371-2600 • FACSIMILE (202) 371-2540 • www.skgf.com

1003 U.S. PTO  
16660/09/899917  
07/09/01

07/09/01

ROBERT GREENE STERN  
EDWARD J. KESSLER  
JORGE A. GOLDSTEIN  
SAMUEL L. FOX\*\*\*  
DAVID K.S. CORNWELL  
ROBERT W. ESMOND  
NANCY-GENE G. DURKIN  
MICHELE A. CIMBALA  
MICHAEL B. RAY  
ROBERT E. SOKOHL  
ERIC K. STEFFE  
MICHAEL O. LEE  
STEVEN R. LUDWIG

JOHN M. COLETT  
LINDA E. ALBORN  
ROBERT T. MILLONIG  
MICHAEL J. MESSINGER  
JUDITH J. KIM  
TIMOTHY J. SHEA JR.  
DONALD R. MCPHAIL  
PATRICK E. GARRETT  
JEFFREY T. HELVEY\*  
HEIDI L. KRAUS  
JEFFREY R. KURIN  
RAYMOND MILLIEN  
PATRICK D. O'BRIEN

LAWRENCE B. BUGAISKY  
CRYSTAL D. SAYLES  
EDWARD W. YEE  
ALBERT L. FERRO\*  
DONALD R. BANOWIT  
PETER A. JACKMAN  
MOLLY A. MCCALL  
TERESA U. MEDLER  
JEFFREY S. WEAVER  
KRISTIN K. VIDOVIICH  
KENDRICK P. PATTERSON  
DONALD J. FEATHERSTONE  
GRANT E. REED

VINCENT L. CAPUANO  
JOHN A. HARROUN\*  
ALBERT J. PASULO II\*  
ELDORA ELLISON FLOYD\*  
W. RUSSELL SWINDELL  
THOMAS C. FIALA  
BRIAN J. DEL BUONO\*  
VIRGIL L. BEASTON\*  
RYAN J. STAMPER\*  
KAREN R. MARKOWICZ\*\*  
SUZANNE E. ZISKA\*\*  
ANDREA J. KAMAGE\*\*  
NANCY J. LEITH\*\*

ELIZABETH J. HAANES\*\*  
MARK P. TERRY\*\*  
JOSEPH M. CONRAD\*\*  
DOUGLAS M. WILSON\*\*  
REGINALD D. LUCAS\*\*  
ANN E. SUMMERFIELD\*\*  
CYNTHIA M. BOUCHEZ\*\*  
HELENE C. CARLSON\*\*  
BRUCE E. CHALKER\*\*  
DUSTIN T. JOHNSON\*\*  
MATTHEW J. DOWD\*\*

\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

July 9, 2001

WRITER'S DIRECT NUMBER:

(202) 371-2625

INTERNET ADDRESS:

ESTEFFE@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

**Box Patent Application**

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No. To be assigned; Filed: Herewith  
(Divisional of U.S. Appl. No. 08/994,962; Filed: December 19, 1997)  
For: **Human Oncogene Induced Secreted Protein I**  
Inventors: Olsen *et al.*  
Our Ref: 1488.0440003/EKS/PSC

Sir:

The following documents are forwarded herewith for appropriate action by the U.S.  
Patent and Trademark Office:

1. Fee Transmittal Form (PTO-SB-17) (*in duplicate*);
2. PTO Utility Patent Application Transmittal (Form PTO/SB/05);
3. U.S. Utility Patent Application entitled:

**Human Oncogene Induced Secreted Protein I**

and naming as inventors:

Henrik S. Olsen; and

Assignee: Human Genome Sciences, Inc.

SCANNED #

Commissioner for Patents  
July 9, 2001  
Page 2

Steven M. Ruben

the application consisting of:

- a. A specification containing:
    - i. 58 pages of description prior to the claims (including a sequence listing on pages 50 to 58);
    - ii. 5 pages of claims (16 claims);
    - iii. a one (1) page abstract;
  - b. Three (3) sheets of drawings (Figures 1-3);
  - c. A copy of the executed Combined Declaration and Power of Attorney for Patent Application, as originally filed in U.S. Appl. No. 08/994,962;
  - d. A copy of the executed Power of Attorney, as originally filed in U.S. Appl. No. 08/994,962;
  - e. A copy of the executed Assignment, as originally filed in U.S. Appl. No. 08/994,962;
  - f. Application Data Sheet;
4. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
  5. First Preliminary Amendment, with Exhibits A-B;
  6. Second Preliminary Amendment;
  7. Letter to PTO Draftsman: Submission of Formal Drawings (*in duplicate*);
  8. Four (4) sheets of Formal Drawings (Figures 1A, 1B, 2 and 3);
  9. Request to Open New Disk File;
  10. Two (2) return postcards; and

Assignee: Human Genome Sciences, Inc.

Commissioner for Patents

July 9, 2001

Page 3

11. Our check No. 31789 for \$2,790.00 to cover:

\$710.00	Filing fee for patent application;
\$1,440.00	Fee for total claims in excess of 20; and
\$640.00	Fee for independent claims in excess of 3.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Eric K. Steffe*  
*Attorney for Applicants*

Eric K. Steffe  
Attorney for Applicants  
Registration No. 36,688

EKS/PSC:arr

Enclosures

P:\USERS\AMAC\WILL.pchoi.1488.0440003.skgf.evr.app  
SKGF Rev. 8/1/00 mac

Assignee: Human Genome Sciences, Inc.